

AUG 23 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VICTOR HUERTA DELACERDA,

Petitioner - Appellant,

v.

TERESA A. SCHWARTZ,

Respondent - Appellee.

No. 05-17255

D.C. No. CV-03-00561-JF

MEMORANDUM^{*}

Appeal from the United States District Court
for the Northern District of California
Jeremy Fogel, District Judge, Presiding

Argued and Submitted July 26, 2006
San Francisco, California

Before: HUG, KLEINFELD, and PAEZ, Circuit Judges.

The district court is affirmed for the reasons well stated in its August 4, 2005
order denying Delacerda's petition for a writ of habeas corpus.

AFFIRMED.

^{*} This disposition is not appropriate for publication and may not be cited
to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.